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QUIARA CHARLES

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

QUIARA CHARLES,)	CASE NO.: 2:20-cv-00962-GMN-EJY
)	
Plaintiff,)	STIPULATION AND ORDER TO
)	EXTEND DISCOVERY DEADLINES
v.)	
)	[FOURTH REQUEST]
STATE FARM MUTUAL AUTOMOBILE)	
INSURANCE COMPANY; and INSURER)	
ENTITIES I-V, inclusive,)	
)	
Defendants.)	

Pursuant to LR 6-1 and LR 26-3, the parties, by and through their respective counsel of record, hereby stipulate and request that this Court extend discovery in the above-captioned case one-hundred twenty (120) days, up to and including Thursday, June 16, 2022. In addition, the parties request that all other future deadlines contemplated by the Discovery Plan and Scheduling Order be extended pursuant to Local Rule. In support of this Stipulation and Request, the parties state as follows:

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1 1. On March 20, 2020, Plaintiff filed her Complaint in the Eighth Judicial District
2 Court, Case No. A-20-812633-C.

3 2. On April 28, 2020, Plaintiff served the Complaint on the Nevada Department of
4 Business and Industry, Division of Insurance.

5 3. On May 28, 2020, Defendant filed its Petition for Removal.

6 4. On June 4, 2020, Defendant filed its Answer to Complaint.

7 5. On June 22, 2020, the parties conducted an initial FRCP 26(f) conference.

8 6. On July 17, 2020, the Court entered the Stipulated Discovery Order.

9 7. On July 20, 2020, Plaintiff served FRCP 26 Initial Disclosures on Defendant.

10 8. On August 18, 2020, Defendant served FRCP 26 Initial Disclosures on Plaintiff.

11 9. On September 3, 2020, Defendant served written discovery.

12 10. On September 23, 2020, Plaintiff served written discovery on Defendant.

13 11. On October 16, 2020, Plaintiff responded to Defendant's written discovery.

14 12. On October 21, 2020, Plaintiff served First Supplement Disclosures.

15 13. On November 10, 2020, Defendant provided Plaintiff with a draft confidentiality
16 agreement and protective order for review and approval in advance of Defendant's production
17 of confidential claim handling and manuals.

18 14. On November 10, 2020, Defendant responded to Plaintiff's written discovery.

19 15. On December 23, 2020, Plaintiff served her Second Supplement Disclosures.

20 16. Throughout March 2021, Defendant served numerous records subpoenas to
21 eleven of Plaintiff's treatment providers.

22 17. Defendant received responses beginning in late March but has not received all of
23 them.
24
25

1 18. On May 4, 2021, Defendant received a partial response from an out-of-state
2 provider (records but no bills) for previously unidentified treatment subsequent to the accident.

3 19. On June 18, 2021, Defendant served a Second Supplemental Disclosures of all
4 medical records and bills received to date.

5 20. On September 10, 2021, Plaintiff served her Third Supplemental Disclosures.

6 **DISCOVERY REMAINING**

7 1. The parties will continue participating in written discovery, with an especial
8 focus on obtaining the remainder of treatment records and bills.

9 2. Defendant will take the deposition of Plaintiff.

10 3. Plaintiff will take the deposition of Defendant's Person Most Knowledgeable.

11 4. The parties may take the deposition of any and all other witnesses garnered
12 through discovery.

13 5. The parties will designate expert witnesses.

14 6. The parties may need to complete additional discovery.

15 **WHY REMAINING DISCOVERY HAS NOT BEEN COMPLETED**

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17 The parties aver, pursuant to LR 26-3, that good cause exists for the following requested
18 extension. This Request for an extension of time is not sought to any improper purpose or
19 other purpose of delay. Rather, it is sought by the parties solely for the purpose of allowing
20 sufficient time to conduct discovery to develop their respective cases in chief.

21 Plaintiff has encountered significant difficulty in obtaining records and bills from the
22 following providers: Ackers Chiropractic (requested in writing on 12/18/20 and again on
23 9/14/21); CareNow Urgent Care (requested in writing on 9/10/2021); UPMC Pain Management
24 in Monroeville, Pennsylvania; and Family Behavioral Resources in Monroeville, Pennsylvania
25

(both requested in writing on 6/23/20 and again on 9/10/21). In addition to requesting the records in writing, numerous telephone calls have been placed to the providers requesting that they provide the records. Unfortunately, said providers have not yet sent the necessary medical information.

Moreover, the parties seek additional time of current discovery deadlines to allow the parties an opportunity to fully understand the nature of Plaintiff's claims and Defendant's defense thereto. The parties would appreciate additional time to effectuate expert retention and designation once all the records are received. Furthermore, the parties and counsel would like to allow enough time to explore the potential to mediate this matter once additional discovery has been completed. As such, the parties need additional time to procure records, designate experts whom will need to review the records prior to preparing reports, schedule depositions, potentially attend mediation, and to complete additional discovery. Therefore, the parties are requesting a 120-day extension to all remaining discovery deadlines in order to fulfill the discovery.

Extension or Modification of the Discovery Plan Scheduling Order. LR 26-3 governs modifications or extension of the Discovery Plan and Scheduling Order. Any stipulation or motion to extend or modify that Discovery Plan and Scheduling Order must be made no later than twenty-one (21) days before the expiration of the subject deadline and must comply fully with LR-26-3

This is the fourth request for extension of time in this matter. The parties respectfully submit that the reasons set forth above constitute compelling reasons for this extension.

The following is a list of the current discovery deadlines and the parties' proposed extended deadlines. No weekend dates are included:

Scheduled Event	Current Deadline	Proposed Deadline
Discovery Cut-Off	<i>Wednesday, February 16, 2022</i>	<i>Thursday, June 16, 2022</i>
Deadline to Amend Pleadings	<i>Tuesday, June 22, 2021</i>	<i>Closed</i>
Expert Disclosures pursuant to FRCP 26 (a)(2)	<i>Wednesday, October 20, 2021</i>	<i>Thursday, February 17, 2022</i>
Expert Rebuttal Disclosure pursuant to FRCP 26(a)(2)	<i>Thursday, November 19, 2021</i>	<i>Friday, March 18, 2022</i>
Dispositive Motions	<i>Monday, March 21, 2022</i>	<i>Tuesday, July 19, 2022</i>
Joint Pretrial Order	<i>Tuesday, April 20, 2022</i>	<i>Thursday, August 18, 2022</i>

WHEREFORE, the parties respectfully request that this Court extend the discovery period by one-hundred twenty days (120) days from the current deadlines of February 16, 2022, up to and including June 16, 2022, and other dates as outlined in accordance with the table above.

Dated this 17th day of September, 2021

Dated this 17th day of September, 2021

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ORDER

IT IS SO ORDERED.

Dated this 17 day of September 2021.


UNITED STATES MAGISTRATE JUDGE